

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 2, 4, 11, 13, 20, 22, 29 and 31 are cancelled, and claims 33-36 are added. Claims 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32 remain in this application as amended herein. Accordingly, claims 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32-36 are submitted for the Examiner's reconsideration.

Claims 3, 5-9, 12, 14-18, 21, 23-27, 30 and 32 have been amended to maintain antecedence and to have the claims better conform to the requirements of U.S. practice. No new matter has been added by these amendments.

In the Office Action, claims 1-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ryan (U.S. Patent No. 6,374,036). Claims 2, 4, 11, 13, 20, 22, 29 and 31 are cancelled. It is submitted that the remaining claims are patentably distinguishable over Ryan.

Presently, when a process, such as zooming, image rotation, image inversion, image cropping, image shifting, a change in the number of pixels or lines of the image, a change in the positions of the pixels or lines of the image, interpolation, or decimation, is performed on data that includes copyright information, the copyright information is not preserved. The present invention addresses this problem.

The Ryan patent describes an encoder that selects a random frame in a video signal, measures and stores a given attribute of the selected frame, extracts another value for the given attribute from a watermark contained in the video signal, and compares the measured value of the given attribute to the extracted value of the given attribute. When the two values match, recording is permitted. (See FIGS. 1 and 2; and col. 5, line 6 - col. 6, line 41).

Ryan therefore determines whether to output the video signals based on whether the measured value of an attribute equals the extracted value of that attribute. The patent does not disclose or suggest measuring the time that a process is performed and terminating the process when a measured time equals a predetermined processing time.

Ryan does not disclose or suggest:

a measurement unit operable to measure the time that said second processor has performed the second process and to determine a predetermined processing time from a processing record; and

a controller operable to terminate operation of said second processor when the measured time equals the predetermined processing time

as called for in claim 1

Claims 3 and 5-9 depend from claim 1 and are distinguishable over Ryan for at least the same reasons.

Independent claim 10 is directed a method for processing data and for outputting processed data, independent claim 19 is directed to a data reading apparatus, and independent claim 28 is directed to a data recording apparatus. Each of claims 10, 19, and 20 includes limitations similar to those set out in claim 1, and therefore, is patentably distinguishable over Ryan for at least the same reasons.

Claims 12 and 14-18 depend from claim 10, claims 21 and 23-27 depend from claim 19, and claims 30 and 32 depend from claim 28. Therefore, each of these claims is distinguishable over Ryan for at least the same reasons.

Accordingly, the withdrawal of the rejection under 35 U.S.C. § 102 is respectfully requested.

New claim 33 depends from claim 1, new claim 34 depends from claim 10, new claim 35 depends from claim 19, and new claim 36 depends from claim 28. Therefore, each of new claims 33-36 may be distinguished over Ryan at least for the

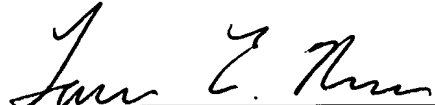
same reasons. Support for claims 33-36 is found, e.g., in paragraph [0085] of the specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 8, 2005

Respectfully submitted,

By 

Lawrence E. Russ
Registration No.: 35,342
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant